

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

*The County of Summit, Ohio, et al. v.
Purdue Pharma L.P., et al.*
Case No. 1:18-op-45090 (N.D. Ohio)

*The County of Cuyahoga, Ohio, et al. v.
Purdue Pharma L.P., et al.*
Case No. 1:17-op-45004 (N.D. Ohio)

**MDL No. 2804
Case No. 17-md-2804
Judge Dan Aaron Polster**

**SUMMARY SHEET FOR REPLY TO MEMORANDUM OF LAW IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT ON PREEMPTION BY PHARMACY
DEFENDANTS, ABDC, CARDINAL HEALTH, AND MCKESSON (ECF 1867 & 2171)**

Plaintiffs' response fails to refute the general principles of conflict preemption on which Pharmacy and Distributor Defendants' motion is based. The Controlled Substances Act balances the dual objectives of preventing diversion and ensuring the availability of medically necessary controlled substances. Plaintiffs do not dispute DEA's obligation to ensure that there is no interference with the dispensing of medically necessary controlled substances and do not deny that Plaintiffs contend that the volume of opioids distributed should have been reduced by 90% from what DEA authorized. Plaintiffs offer no reasoned explanation as to how permitting their claims to proceed could avoid interfering with the full accomplishment of Congress's purposes and objectives under the CSA.